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In re Application of:
Delansorne et al.
Serial No.: 09/787,436
Filed: March 27, 2001
Attorney Docket No.: 01056

DECISION ON PETITION TO
WITHDRAW THE HOLDING
OF ABANDONMENT

This is in response to applicants' petition under 37 CFR § 1.181(a) filed on July 23, 2004, requesting withdrawal of the holding of abandonment based on the timely filing of a response to the Office action mailed January 28, 2003.

A review of the file history shows that the examiner mailed an Office action (restriction requirement) to applicants on January 28, 2003, setting a one-month statutory time period for reply. On September 26, 2003, the examiner mailed a notice of abandonment for failure to respond to the outstanding Office action.

Applicants state that a response to the Office action was timely filed on February 26, 2003, as evidenced by a copy of the receipt card showing receipt of the response by the USPTO on February 26, 2003. Applicants also provide a copy of the response to the Office action with the petition. In view of this evidence, applicants are considered to have submitted a timely reply.

Applicants' petition is **GRANTED**. The application is restored to pending status with the mailing date of this decision and will be forwarded to the examiner for consideration of the elected invention on the merits.

Should there be any questions about this decision, please contact Marianne C. Seidel by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0584 or by facsimile at 703-872-9306.

Bruce Kisliuk
Director, Technology Center 1600